

thereof Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a).

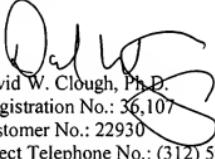
**E. Conclusion**

In view of the above amendments and remarks, Applicants respectfully submit that the instant application is in good and proper order for allowance and early notification to this effect is solicited. If, in the opinion of the Examiner, a telephone conference would expedite prosecution of the instant application, the Examiner is encouraged to call the undersigned at the number listed below.

Respectfully submitted,

HOWREY LLP

By:

  
David W. Clough, Ph.D.  
Registration No.: 36,107  
Customer No.: 22930  
Direct Telephone No.: (312) 595-1408

Dated: July 10, 2007

HOWREY LLP  
ATTN: Docketing Department  
2941 Fairview Park Drive, Suite 200  
Falls Church, VA 22042-9922  
Telephone No.: (703) 663-3600  
Facsimile No.: (703) 336-6950



Inventor: McCafferty, et al.

Dkt. No. 05569.0004.DVUS11

Appn. No. 10/803,622

Attorneys TCS

Filed: March 18, 2004

Date October 20, 2004

Title: Methods for Producing Members of Specific Binding Pairs

*feet transmitted*

Transmittal letter, Submission of Protective Order Materials Under MPEP § 724; cited references C5, C15, C20, C21, C22, C23, C23A and C24; Petition to Expunge under 37 C.F.R. § 1.59(b); Supplemental Information Disclosure Statement; PTO Form SB/08A and return-receipt postcard.

U.S. Patent & Trademark Office

Sir:

Please acknowledge receipt of the above-identified documents by applying the Patent and Trademark Office receipt stamp hereto and mailing this card.

Respectfully,

Inventor: McCafferty, et al.

Dkt. No. 05569.0004.DVUS11

Appn. No. 10/803,622

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Title: Methods for Producing Members of Specific Binding Pairs

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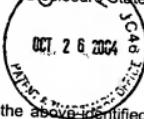
U.S. Patent & Trademark Office

Sir:

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Respectfully,

HOWREY SIMON ARNOLD & WHITE, LLP





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PTO/SG/21 (09-04)  
Approved for use through 07/31/2005. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

## TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/803,622
Filing Date	March 18, 2004
First Named Inventor	J. McCafferty
Art Unit	1639
Examiner Name	Not yet assigned
Attorney Docket Number	05569.0004.DVUS11

10

05569.0004.DVUS11

### ENCLOSURES (Check all that apply)

Fee Transmittal Form  
 Fee Attached  
 Amendment/Reply  
 After Final  
 Affidavits/declaration(s)  
 Extension of Time Request  
 Express Abandonment Request  
 Information Disclosure Statement  
 Certified Copy of Priority Document(s)  
 Reply to Missing Parts/ Incomplete Application  
 Reply to Missing Parts under 37 CFR 1.52 or 1.53

Drawing(s)  
 Licensing-related Papers  
 Petition  
 Petition to Convert to a Provisional Application  
 Power of Attorney, Revocation  
 Change of Correspondence Address  
 Terminal Disclaimer  
 Request for Refund  
 CD, Number of CD(s) \_\_\_\_\_  
 Landscape Table on CD

Remarks

After Allowance Communication to TC  
 Appeal Communication to Board of Appeals and Interferences  
 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  
 Proprietary Information  
 Status Letter  
 Other Enclosure(s) (please identify below):  
 Submission of Protective Order Materials Under MPEP § 724; cited references C5, C15, C20, C21, C22, C23, C23A and C24; PTO Form SB-08A and return-receipt postcard.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Howrey Simon Arnold & White, LLP		
Signature			
Printed name	Teddy C. Scott, Jr., Ph.D.		
Date	October 20, 2004	Reg. No.	53,573

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Teddy C. Scott, Jr., Ph.D.		Date
			October 20, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): McCafferty, et al.  
App. No.: 10/803,622  
Conf. No.: 6206  
Filing Date: March 18, 2004  
Title: METHODS FOR PRODUCING  
MEMBERS OF SPECIFIC BINDING  
PAIRS  
Art Unit: 1639  
Examiner: Not yet assigned

## CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

10/20/04

Date

*Teddy C. Scott, Jr. Ph.D.*  
Teddy C. Scott, Jr. Ph.D.  
Registration No. 53,573

## SUBMISSION OF PROTECTIVE ORDER MATERIALS UNDER MPEP § 724

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants submit herewith documents subject to a protective order for consideration under MPEP § 724. In compliance with MPEP § 724, the documents subject to a protective order are attached in a sealed envelope, with the envelope and each document marked as follows:

MATERIAL SUBJECT TO PROTECTIVE ORDER - NOT OPEN TO PUBLIC  
TO BE OPENED ONLY BY EXAMINER OR OTHER AUTHORIZED U.S.  
PATENT AND TRADEMARK OFFICE EMPLOYEE:

>DO NOT SCAN<

Tribunal Issuing Protective Order: U.S. District Court for the District of Columbia,  
Judge James Robertson  
Proceeding: MORPHOSYS AG V. CAMBRIDGE  
ANTIBODY LIMITED  
Civil Action No.: 1:00 CV 00146  
Date of Order: March 13, 2002  
Status of Proceedings: Dismissed - Settled  
In Re Application of: J. McCafferty, et al.  
Application No.: 10/803,622  
Filed: March 18, 2004

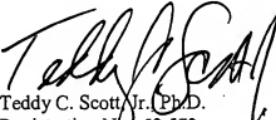
For: **METHODS FOR PRODUCING MEMBERS OF  
SPECIFIC BINDING PAIRS**  
Art Unit: 1639  
Examiner: Not yet assigned

Submitted herewith is the following: (i) Supplemental Information Disclosure Statement Pursuant To 37 C.F.R. §§ 1.56, 1.97 and 1.98; and (ii) Petition under 37 C.F.R. § 1.59(b) together with the requisite fee of \$130, as set forth in 37 C.F.R. § 1.17(f). No other fees are believed to be due in connection with the filing of this paper, however, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this paper, the Commissioner is hereby authorized to deduct the fees from Howrey Simon Arnold & White, LLP Deposit Account 08-3038.

Respectfully submitted,

HOWREY SIMON ARNOLD & WHITE, LLP

Dated: October 20, 2004

By:   
Teddy C. Scott, Jr. Ph.D.  
Registration No. 53,573  
Customer No.: 22930

HOWREY SIMON ARNOLD & WHITE, LLP  
321 N. Clark Street, Suite 3400  
Chicago, IL 60661  
(312) 595-1239 (main)  
(312) 846-5621 (direct)  
(312) 595-2250 (fax)

JUL 12 2007

PTO/SB/17 (10-02v2)

Approved for use through 07/31/2008. OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

## Complete if Known

Application Number	10/803,622
Filing Date	March 18, 2004
First Named Inventor	J. McCafferty
Examiner Name	Not yet assigned
Art Unit	1639
Attorney Docket No.	05569.0004.DVUS11

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account **08-3038**  
Number  
Deposit Account **Howrey Simon Arnold & White LLP**  
Name

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any uncouerpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395			Utility filing fee	
1002 350	2000 175			Design filing fee	
1003 550	2003 275			Plant filing fee	
1004 790	2004 395			Reissue filing fee	
1005 160	2005 80			Provisional filing fee	
<b>SUBTOTAL (1)</b>		(\$ -0-)			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee below	Fee Paid
			-20**	=	
			-3**	=	

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9			Claims in excess of 20	
1201 88	2201 44			Independent claims in excess of 3	
1203 300	2203 150			Multiple dependent claim, if not paid	
1204 88	2204 44			** Reissue independent claims over original patent	
1205 18	2205 9			** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>		(\$ -0-)			

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65			Surcharge - late filing fee or oath	
1052 50	2052 25			Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130			Non-English specification	
1812 2,520	1812 2,520			For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*			Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*			Requesting publication of SIR after Examiner action	
1251 110	2251 55			Extension for reply within first month	
1252 430	2252 215			Extension for reply within second month	
1253 980	2253 495			Extension for reply within third month	
1254 1,530	2254 765			Extension for reply within fourth month	
1255 2,080	2255 1,040			Extension for reply within fifth month	
1401 340	2401 170			Notice of Appeal	
1402 340	2402 170			Filing a brief in support of an appeal	
1403 300	2403 150			Request for oral hearing	
1451 1,510	1451 1,510			Petition to institute a public use proceeding	
1452 119	2452 55			Petition to revive - unavoidable	
1453 1,370	2453 685			Petition to revive - unintentional	
1501 1,370	2501 685			Utility issue fee (or reissue)	
1502 490	2502 245			Design issue fee	
1503 660	2503 330			Plant issue fee	
1460 130	1460 130			Petitions to the Commissioner	130.00
1807 50	1807 50			Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180			Submission of Information Disclosure Stmt	
8021 40	8021 40			Recording each patent assignment per property (times number of properties)	
1809 790	2809 395			Filing a submission after final rejection (37 CFR 1.129(g))	
1810 790	2810 395			For each additional invention to be examined (37 CFR 1.129(f))	
1801 790	2801 395			Request for Continued Examination (RCE)	
1802 900	1802 900			Request for expedited examination of a design application	
<b>Other fee (specify)</b>					
<b>Reduced by Basic Filing Fee Paid</b>		<b>SUBTOTAL-(3)</b>	(\$ 130.00)		

\*\* or number previously paid, if greater; For Reissues, see above

(Complete if applicable)

Name (Print/Type)	Teddy C. Scott, Jr., Ph.D.	Registration No. (Attorney/Agent)	53,573	Telephone	312 846-5621
Signature				Date	October 20, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): McCafferty, et al.

App. No.: 10/803,622

Conf. No.: 6206

Filing Date: March 18, 2004

Title: METHODS FOR PRODUCING  
MEMBERS OF SPECIFIC BINDING  
PAIRS

Art Unit: 1639

Examiner: Not yet assigned

## CERTIFICATE OF MAILING

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10/20/2004

Date

Teddy C. Scott, Jr., Ph.D.  
Registration No. 53,573

## PETITION TO EXPUNGE UNDER 37 C.F.R. § 1.59(b)

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The documents submitted on the Supplemental Information Disclosure Statement filed herewith under MPEP § 724.02 are subject to a protective order issued by the U.S. District Court for the District of Columbia in Civil Action No. 1:00 CV 00146. Pursuant to 37 C.F.R. § 1.59, Applicants request that if the documents are not found to be important to a reasonable examiner in deciding whether to allow the above-identified application to issue as a patent, the documents be returned.

Submitted herewith is a fee of \$130 as set forth in 37 C.F.R. § 1.17(f). No other fees are believed to be due in connection with the filing of this paper, however, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this paper,

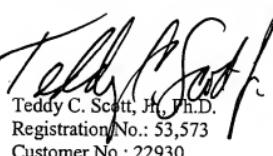
the Commissioner is hereby authorized to deduct the fees from Howrey Simon Arnold & White, LLP Deposit Account 08-3038.

Respectfully submitted,

HOWREY SIMON ARNOLD & WHITE, LLP

Dated: October 20, 2004

By:



Teddy C. Scott, Jr., Ph.D.  
Registration No.: 53,573  
Customer No.: 22930

HOWREY SIMON ARNOLD & WHITE, LLP  
321 N. Clark Street, Suite 3400  
Chicago, IL 60661  
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(312) 595-2250 (fax)



## THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): McCafferty, et al.  
App. No.: 10/803,622  
Conf. No.: 6206  
Filing Date: March 18, 2004  
Title: METHODS FOR PRODUCING  
MEMBERS OF SPECIFIC BINDING  
PAIRS  
Art Unit: 1639  
Examiner: Not yet assigned

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10/20/04

Date

Teddy C. Scott, Jr., Ph.D.  
Registration No. 53,573SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. §§ 1.56, 1.97 AND 1.98

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with 37 C.F.R. § 1.97 and the continuing duty of disclosure under 37 C.F.R. § 1.56, Applicants call to the attention of the Examiner the references listed on the attached Forms PTO/SB/08A and PTO/SB/08B. It is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Forms PTO/SB/08A and PTO/SB/08B be considered by the Examiner and made of record.

The documents were previously listed on the Form PTO/SB08A submitted on March 18, 2004 as C5, C15, C20, C21, C22, C23, C23A and C24. Copies of the documents were previously submitted in Application No. 09/726,219 filed November 28, 2000 (the "Priority Application"), from which the instant application relies upon for an earlier effective filing date under 35 U.S.C. § 120. A petition to expunge the documents in the Priority Application was granted on June 9, 2004. In view of the documents being expunged in the Priority Application, Applicants hereby submit Form PTO/SB/08A listing the documents together with copies of the documents pursuant to 37 C.F.R. § 1.98(a)(2). For the convenience of the Examiner, the documents are listed on the Form PTO/SB/08A submitted herewith in a manner consistent with that of the Form PTO/SB08A submitted on March 18, 2004.

In accordance with 37 C.F.R. § 1.97(g), this Information Disclosure Statement is not to be construed as a representation that a search has been made. In accordance with 37 C.F.R. § 1.97(h), this Information Disclosure Statement is not to be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

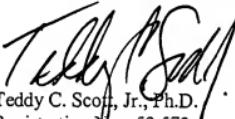
This Information Disclosure Statement is being filed prior to the receipt of a first Office Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b)(3).

No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this document, the Commissioner is hereby authorized to deduct the fees from Howrey Simon Arnold & White, LLP Deposit Account 08-3038.

Respectfully submitted,

HOWREY SIMON ARNOLD & WHITE, LLP

Dated: October 20, 2004

By:   
Teddy C. Scott, Jr., Ph.D.  
Registration No.: 53,573  
Customer No.: 22930

HOWREY SIMON ARNOLD & WHITE, LLP  
321 N. Clark Street, Suite 3400  
Chicago, IL 60661  
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(312) 595-2250 (fax)



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Sheet 1 of 2

<b>Substitute for form 1449A/PTO</b> <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b> <small>(Use several sheets if necessary)</small>			Docket Number 05569.0004.DVUS11		Application Number 10/803,622			
			Applicant J. McCafferty et al.		Filing Date March 18, 2004		Group Art Unit 1639	
			U. S. PATENT DOCUMENTS					
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.		
FOREIGN PATENT DOCUMENTS								
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	Translation Yes No		
OTHER DOCUMENTS <small>(Including Author, Title, Date, Pertinent Pages, Etc.)</small>								
C5	Redacted Agreement Between Medical Research Council and Cambridge Antibody Technology Limited and Antibody Technology Group plc, made 01 January 1997.							
C15	Chiswell memo, dated 30 July 1990, transmitting a copy of the Collaborative Agreement between Cambridge Antibody Technology and The Medical Research Council, dated July 27, 1995.							
C20	Administration Agreement between Cambridge Antibody Technology Ltd. and Medical Research Council, dated 01 August 1991 (Redacted).							
C21	Fax from John McCafferty (of Cambridge Antibody Technology Limited) to Sean Walton (of Mewburn Ellis) regarding the Smith grant application.							
C22	E-mail message from John McCafferty (of Cambridge Antibody Technology Limited) to Brian Kay regarding the Smith grant application							
C23	Letter to Craig Panner (of the Academic Press) from John McCafferty (Cambridge Antibody Technology Limited) regarding the Smith grant application							
EXAMINER				DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.								

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Sheet 2 of 2